

David C. Schopp  
Chief Executive Officer

Michele M. Finn  
Chief Administrator



Working for Justice Since 1912

James J. Rooney  
President

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First Vice President

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Second Vice President

Lisa M. Patterson  
Secretary

Irving A. Barrett, Jr.  
Treasurer

Robert Graber, Clerk  
Erie County Legislature  
92 Franklin Street, 4<sup>th</sup> Floor  
Buffalo, NY 14202

Dear Mr. Graber:

Pursuant to Article 13 of the agreement with the County of Erie, enclosed please find our 2012 financial statements, a copy of the 2012 annual report and a copy of the minutes from the annual Board of Directors meeting held on June 20, 2013.

At the February 9, 2012 Board of Directors meeting, a motion to approve changes to the By-Laws was approved. The new By-Laws state that the corporation has no members.

If there are any questions or further information is required, please contact me at extension 501.

Very truly yours,

MICHELE M. FINN  
Chief Administrator

MMF/map

Enclosures

THE LEGAL AID BUREAU OF BUFFALO, INC.  
Financial Statements  
December 31, 2012  
(With Independent Auditors' Report Thereon)

THE LEGAL AID BUREAU OF BUFFALO, INC.

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## INDEPENDENT AUDITORS' REPORT

The Board of Directors  
The Legal Aid Bureau of Buffalo, Inc.:

### Report on the Financial Statements

We have audited the accompanying financial statements of The Legal Aid Bureau of Buffalo, Inc. (the Bureau), which comprise the statement of financial position as of December 31, 2012, and the related statements of activities, functional expenses and cash flows for the year then ended, and the related notes to the financial statements.

### Management's Responsibility for the Financial Statements

Management is responsible for the preparation and fair presentation of these financial statements in accordance with accounting principles generally accepted in the United States of America; this includes the design, implementation, and maintenance of internal control relevant to the preparation and fair presentation of financial statements that are free from material misstatement, whether due to fraud or error.

### Auditor's Responsibility

Our responsibility is to express an opinion on these financial statements based on our audit. We conducted our audit in accordance with auditing standards generally accepted in the United States of America. Those standards require that we plan and perform the audit to obtain reasonable assurance about whether the financial statements are free from material misstatement.

An audit involves performing procedures to obtain audit evidence about the amounts and disclosures in the financial statements. The procedures selected depend on the auditor's judgment, including the assessment of the risks of material misstatement of the financial statements, whether due to fraud or error. In making those risk assessments, the auditor considers internal control relevant to the Bureau's preparation and fair presentation of the financial statements in order to design audit procedures that are appropriate in the circumstances, but not for the purpose of expressing an opinion on the effectiveness of the Bureau's internal control. Accordingly, we express no such opinion. An audit also includes evaluating the appropriateness of accounting policies used and the reasonableness of significant accounting estimates made by management, as well as evaluating the overall presentation of the financial statements.

We believe that the audit evidence we have obtained is sufficient and appropriate to provide a basis for our audit opinion.

Opinion

In our opinion, the financial statements referred to above present fairly, in all material respects, the financial position of The Legal Aid Bureau of Buffalo, Inc. as of December 31, 2012, and the changes in its net assets and its cash flows for the year then ended, in accordance with accounting principles generally accepted in the United States of America.

Report on Summarized Comparative Information

We have previously audited the Bureau's 2011 financial statements, and our report dated July 13, 2012, expressed an unmodified opinion on those audited financial statements. In our opinion, the summarized comparative information presented herein as of and for the year ended December 31, 2012, is consistent, in all material respects, with the audited financial statements from which it has been derived.

Toski & Co., CPAs, P.C.

Williamsville, New York  
July 30, 2013

THE LEGAL AID BUREAU OF BUFFALO, INC.  
Statement of Financial Position  
December 31, 2012  
with comparative totals for 2011

<u>Assets</u>	<u>2012</u>	<u>2011</u>
Cash	\$ 900,206	1,077,864
Accounts receivable	452,496	399,527
Prepaid expenses	26,385	27,135
Property and equipment, at cost:		
Furniture and equipment	247,159	243,816
Leasehold improvements	<u>69,012</u>	<u>69,012</u>
	316,171	312,828
Less accumulated depreciation and amortization	<u>(282,729)</u>	<u>(284,266)</u>
Net property and equipment	<u>33,442</u>	<u>28,562</u>
Total assets	<u>\$ 1,412,529</u>	<u>1,533,088</u>
<u>Liabilities and Net Assets</u>		
Accounts payable	59,982	122,993
Accrued expenses	181,078	159,675
Accrued vacation pay	249,378	230,194
Client advances	38,528	92,670
Deferred revenue	<u>496,621</u>	<u>539,335</u>
Total liabilities	1,025,587	1,144,867
Unrestricted net assets	386,942	388,221
Commitment (note 6)	<u>                    </u>	<u>                    </u>
Total liabilities and net assets	<u>\$ 1,412,529</u>	<u>1,533,088</u>

See accompanying notes to financial statements.

THE LEGAL AID BUREAU OF BUFFALO, INC.

Statement of Activities

Year ended December 31, 2012

with comparative totals for 2011

	<u>2012</u>	<u>2011</u>
Unrestricted revenue:		
Fees and grants from governmental agencies	\$ 6,854,860	6,395,119
Membership dues, contributions and other grants	128,441	141,693
Indirect public support - United Way of Buffalo and Erie County	6,222	5,880
Interest on Lawyer Account Fund of the State of New York	259,137	248,534
Interest income	2,862	2,689
Miscellaneous	<u>1,529</u>	<u>1,564</u>
Total unrestricted revenue	<u>7,253,051</u>	<u>6,795,479</u>
Unrestricted expenses:		
Program services:		
Civil Unit	834,643	693,190
Felony Appeals	1,063,827	988,310
Criminal Defense Unit	2,505,438	2,357,313
Attorneys for Children	<u>2,292,924</u>	<u>2,244,513</u>
Total program services	6,696,832	6,283,326
Management and general	<u>557,498</u>	<u>480,500</u>
Total unrestricted expenses	<u>7,254,330</u>	<u>6,763,826</u>
Increase (decrease) in unrestricted net assets	(1,279)	31,653
Unrestricted net assets at beginning of year	<u>388,221</u>	<u>356,568</u>
Unrestricted net assets at end of year	<u>\$ 386,942</u>	<u>388,221</u>

See accompanying notes to financial statements.

THE LEGAL AID BUREAU OF BUFFALO, INC.

Statement of Functional Expenses

Year ended December 31, 2012

with comparative totals for 2011

	Civil Unit	Felony Appeals	Criminal Defense Unit	Attorneys for Children	Total program services
Salaries	\$ 593,408	794,404	1,907,196	1,687,114	4,982,122
Employee benefits	104,466	133,507	265,340	335,319	838,632
Payroll taxes	47,546	61,430	155,410	134,999	399,385
Total salaries and related expenses	745,420	989,341	2,327,946	2,157,432	6,220,139
Professional fees	21,653	4,748	42,895	9,061	78,357
Supplies	4,029	5,039	10,340	6,768	26,176
Telephone	1,781	1,697	11,342	7,318	22,138
Postage	3,884	3,802	5,149	1,667	14,502
Occupancy	36,692	31,924	31,519	64,722	164,857
Transportation	1,418	3,063	6,348	13,877	24,706
Conferences	2,999	2,407	13,537	884	19,827
Subscriptions and publications	2,490	9,588	15,764	6,281	34,123
Specific assistance to clients	1,565	-	7,089	690	9,344
Insurance	3,341	4,043	9,552	7,392	24,328
Membership dues	690	2,464	3,603	4,953	11,710
Furniture and equipment	1,948	1,713	9,227	3,062	15,950
Maintenance and repairs	1,174	1,991	4,901	3,263	11,329
Interest	-	-	-	-	-
Miscellaneous	3,776	270	2,020	5,554	11,620
Special event - net	-	-	-	-	-
Total expenses before depreciation and amortization	832,860	1,062,090	2,501,232	2,292,924	6,689,106
Depreciation and amortization	1,783	1,737	4,206	-	7,726
Total expenses	\$ 834,643	1,063,827	2,505,438	2,292,924	6,696,832

(Continued)

See accompanying notes to financial statements.

THE LEGAL AID BUREAU OF BUFFALO, INC.  
Statement of Functional Expenses, Continued

	Total program services	Management and general	Total	
			2012	2011
Salaries	\$ 4,982,122	343,956	5,326,078	4,843,802
Employee benefits	838,632	67,861	906,493	985,789
Payroll taxes	399,385	28,039	427,424	382,871
	<u>6,220,139</u>	<u>439,856</u>	<u>6,659,995</u>	<u>6,212,462</u>
Total salaries and related expenses				
Professional fees	78,357	57,777	136,134	136,709
Supplies	26,176	4,427	30,603	19,075
Telephone	22,138	886	23,024	16,602
Postage	14,502	910	15,412	16,376
Occupancy	164,857	23,611	188,468	180,406
Transportation	24,706	1,146	25,852	32,714
Conferences	19,827	1,747	21,574	18,248
Subscriptions and publications	34,123	383	34,506	26,109
Specific assistance to clients	9,344	-	9,344	11,658
Insurance	24,328	4,184	28,512	26,992
Membership dues	11,710	1,565	13,275	12,141
Furniture and equipment	15,950	1,216	17,166	11,898
Maintenance and repairs	11,329	9,994	21,323	18,372
Interest	-	491	491	636
Miscellaneous	11,620	1,227	12,847	10,775
Special event - net	-	841	841	-
	<u>6,689,106</u>	<u>550,261</u>	<u>7,239,367</u>	<u>6,751,173</u>
Total expenses before depreciation and amortization				
Depreciation and amortization	7,726	7,237	14,963	12,653
	<u>\$ 6,696,832</u>	<u>557,498</u>	<u>7,254,330</u>	<u>6,763,826</u>

THE LEGAL AID BUREAU OF BUFFALO, INC.  
Statement of Cash Flows  
Year ended December 31, 2012  
with comparative totals for 2011

	<u>2012</u>	<u>2011</u>
Cash flows from operating activities:		
Increase (decrease) in unrestricted net assets	\$ (1,279)	31,653
Adjustments to reconcile increase (decrease) in unrestricted net assets to net cash provided by (used in) operating activities:		
Depreciation and amortization	14,963	12,653
Changes in:		
Accounts receivable	(52,969)	(110,963)
Prepaid expenses	750	4,472
Accounts payable	(63,011)	72,121
Accrued expenses	21,403	(18,003)
Accrued vacation pay	19,184	5,837
Client advances	(54,142)	64,776
Deferred revenue	<u>(42,714)</u>	<u>199,304</u>
Net cash provided by (used in) operating activities	(157,815)	261,850
Cash flows from investing activities - additions to property and equipment	<u>(19,843)</u>	<u>(5,577)</u>
Net increase (decrease) in cash	(177,658)	256,273
Cash at beginning of year	<u>1,077,864</u>	<u>821,591</u>
Cash at end of year	<u>\$ 900,206</u>	<u>1,077,864</u>
Supplemental schedule of cash flow information:		
Cash paid during the year for interest	<u>\$ 491</u>	<u>636</u>
Disposal of fully depreciated property and equipment	<u>\$ 16,500</u>	<u>1,211</u>

See accompanying notes to financial statements.

THE LEGAL AID BUREAU OF BUFFALO, INC.

Notes to Financial Statements

December 31, 2012

(1) Summary of Significant Accounting Policies

(a) Nature of Activities

The Legal Aid Bureau of Buffalo, Inc. (the Bureau) is a not-for-profit corporation formed for benevolent and charitable purposes; to render legal aid, gratuitously, to persons who are financially unable to procure legal assistance in the County of Erie, New York; to assist or defend such persons without means in the pursuit of any civil remedy or legal right, or in defense of any civil, criminal or quasi-criminal prosecution or other offenses, and to promote measures for their protection; to supervise auxiliary programs and to cooperate with other agencies.

(b) Basis of Accounting

The financial statements of the Bureau have been prepared on the accrual basis of accounting in accordance with accounting principles generally accepted in the United States of America.

(c) Basis of Presentation

The Bureau reports information regarding its financial position and activities according to three classes of net assets: unrestricted net assets, temporarily restricted net assets and permanently restricted net assets. The Bureau had only unrestricted net assets in 2012 and 2011.

(d) Estimates

The preparation of financial statements in conformity with generally accepted accounting principles requires management to make estimates and assumptions that affect certain reported amounts and disclosures. Accordingly, actual results could differ from those estimates.

(e) Cash

For purposes of reporting cash flows, cash includes money market accounts and any highly liquid debt instruments purchased with a maturity of three months or less.

(f) Concentration of Credit Risk

Financial instruments that potentially subject the Bureau to concentrations of credit risk consist principally of cash and cash equivalent accounts in financial institutions. Although the accounts exceed the federally insured deposit amount, management does not anticipate nonperformance by the financial institution.

(g) Property and Equipment

Furniture, equipment, and leasehold improvements owned by the Bureau are stated at cost. Depreciation of furniture and equipment is provided using the straight-line method over the estimated useful lives of the assets. Amortization of leasehold improvements is provided over the remaining term of their respective leases, not including any extensions of the terms of the lease agreement exercised after the leasehold improvement was made.

THE LEGAL AID BUREAU OF BUFFALO, INC.  
Notes to Financial Statements, Continued

(1) Summary of Significant Accounting Policies, Continued

(g) Property and Equipment, Continued

Certain program sponsors retain title to furniture, equipment and law texts acquired with their funds. Expenditures for such items so acquired are not capitalized but recorded as program expense.

(h) Deferred Revenue and Revenue Recognition

Grant awards accounted for as exchange transactions are recorded as revenue when expenditures have been incurred in compliance with the grant restrictions. Amounts unspent are recorded in the statement of financial position as deferred revenue.

(i) Contributed Services, Materials and Equipment

During the years ended December 31, 2012 and 2011, the value of contributed services meeting the requirements for recognition in the financial statements was not material and has not been recorded. However, many individuals volunteer their time and perform a variety of tasks that assist the Bureau. Donated materials and equipment, when received, are recorded as contributions at their estimated fair market value at date of donation.

(j) Expense Allocation

The costs of providing various programs and other activities have been summarized on a functional basis in the statement of activities and in the statement of functional expenses. Accordingly, certain costs have been allocated among the programs and supporting services benefited.

(k) Subsequent Events

The Bureau has evaluated events after December 31, 2012, and through July 30, 2013, which is the date the financial statements were available to be issued, and determined that any events or transactions occurring during this period that would require recognition or disclosure are properly addressed in these financial statements.

(l) Income Taxes

The Bureau is exempt from income taxes under Section 501(c)(3) of the Internal Revenue Code (the Code); therefore, no provision for income taxes is reflected in the financial statements. The Bureau has been classified as a publicly supported organization that is not a private foundation under Section 509(a) of the Code. The Bureau presently discloses or recognizes income tax positions based on management's estimate of whether it is reasonably possible or probable that a liability has been incurred for unrecognized income taxes. Management has concluded that the Bureau has taken no uncertain tax positions that require adjustment in its financial statements. U.S. Forms 990 filed by the Bureau are subject to examination by taxing authorities. The Bureau is no longer subject to tax examination for the years ended December 31, 2008 and prior.

THE LEGAL AID BUREAU OF BUFFALO, INC.  
Notes to Financial Statements, Continued

(2) Fees and Grants from Governmental Agencies

A summary of fees and grants from governmental agencies for the years ended December 31, 2012 and 2011 is as follows:

	<u>2012</u>	<u>2011</u>
City of Buffalo	\$ 103,336	113,075
County of Erie	3,859,714	3,574,740
Other Western New York Counties	4,064	-
State of New York	<u>2,887,746</u>	<u>2,707,304</u>
Total fees and grants from governmental agencies	<u>\$ 6,854,860</u>	<u>6,395,119</u>

(3) Retirement Plan

The Bureau participates in a defined contribution retirement plan which is underwritten by Principal Life Insurance Company. All employees who are at least age 21 and have provided a minimum service of two years are eligible for coverage under the plan. The plan requires that the Bureau contribute 6% of participants' annual salary. Participants are fully vested from their first day of participation in the plan. Retirement expense amounted to \$256,779 and \$252,563 for the years ended December 31, 2012 and 2011, respectively.

(4) Note Payable

The Bureau has a bank line of credit amounting to \$1,000,000. The line is secured by accounts receivable, inventory, furniture, fixtures, machinery and equipment, and general intangibles owned by the Bureau. At December 31, 2012, there was no outstanding balance on this line of credit. Interest on the line of credit is at prime plus .75% (4% at December 31, 2012).

(5) Economic Dependency

A material part of the Bureau's funding is dependent upon a few contracts, the loss of any one would have a material adverse effect on the Bureau. In 2012, the County of Erie accounted for 53% of the Bureau's unrestricted revenue.

THE LEGAL AID BUREAU OF BUFFALO, INC.  
Notes to Financial Statements, Continued

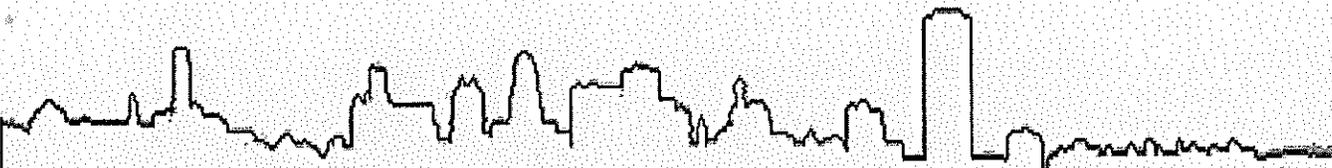
(6) Commitment

The Bureau has entered into a lease agreement for its facilities which expires October 31, 2014. Total rent expense for the years ended December 31, 2012 and 2011 amounted to \$188,468 and \$180,406, respectively. Future minimum lease payments under this operating lease as of December 31, 2012 are as follows:

2013	\$ 192,938
2014	<u>173,035</u>
	\$ <u>365,973</u>

(7) Related Party Transactions

A relative of a board member provided grant writing services to the Bureau. The total paid by the Bureau for these services amounted to \$36,000 for the years ended December 31, 2012 and 2011.



**LEGAL  
AID  
BUREAU** *100 years*  
*of Buffalo, Inc.*

Working for Justice Since 1912

# 2012 ANNUAL REPORT



237 Main Street – Suite 1602 Buffalo, New York 14203 716-853-9555

2012 was an exceptional year for us. Increased funding of the Bureau's Appeals Unit initiated a regional project by contracting with Genessee and Cattaraugus counties to provide appellate representation to clients convicted in those counties, and the Criminal Defense Unit added important supportive services for clients in Drug , Mental Health, and Veterans Court.

But of course 2012 was most notable in that it marked the 100th Anniversary of the organization itself. Founded in 1912 with a staff of one attorney and one secretary, the Bureau today is a multifaceted law firm of 88 employees, all committed to ensuring access to justice for all. At our Centennial Celebration dinner on October 24, Court of Appeals Judge and former Legal Aid Bureau of Buffalo board president Eugene Pigott read a letter from Chief Judge of the State of New York Jonathan Lippmann offering his congratulations on this milestone:

...  
The heroic work of the Legal Aid Bureau of Buffalo is there for all to see. Since the Bureau was established one hundred years ago, you have been focused on serving the needs of the most vulnerable in your community. Then and now, you have worked to protect the rights of children, fought against unscrupulous lenders and landlords, helped immigrant victims of domestic violence, stood up for people accused of crimes who cannot afford a lawyer, and fought to preserve housing for the poor and disadvantaged.

The only difference now, a century since your founding, is that those same needs press us like never before in this troubled economy, with the poor, the working poor, and the near poor coming to our courthouses in greater and greater numbers. They are facing life-transforming crises affecting the necessities of life – the roof over their heads, their physical safety, their livelihood, and the well-being of their families. Given the profound need for legal services, the profession and the Judiciary have a responsibility to exercise leadership and give our support. The rule of law itself loses its meaning when legal protection is available to only those who can afford it. We must all work together to ensure that institutions like the Legal Aid Bureau of Buffalo have the resources so critically needed to ensure access to justice for all.

To the men and women at the Legal Aid Bureau who work day-in and day-out, often at great personal sacrifice, to serve the legal needs of the disadvantaged in Buffalo, you have my deepest admiration. What you do on a daily basis is so fundamental to the mission of our courts and the foundations of a just society. I salute you and wish you all the best on this milestone occasion.

We are proud of this expression by the Chief Judge of the critical role we here at the Bureau play in the administration of justice and the improvement of lives.

*David C. Schopp*

## **Remarks by the CEO**

The Legal Aid Bureau of Buffalo, Inc. is a charitable not-for-profit corporation founded in 1912 by community leaders to provide legal representation and advice to the poor of our community. The Bureau has served this vital role in Western New York since then. In 2012, it provided advice, representation, or referral to 20,995 persons in need. The Bureau's services are available to low-income individuals in Western New York who cannot afford counsel, except for those of its Attorneys for Children Unit, where no income guidelines apply.

The Legal Aid Bureau is supported by funding from Erie County, the City of Buffalo, the State of New York, the United States government and from the United Way of Buffalo and Erie County, the IOLA (Interest on Lawyer Account) Fund of the State of New York, and the generous contributions of members of the community. Additionally, we receive the services of numerous volunteers and interns from the community and its educational institutions.

The Bureau's **Civil Legal Services** Unit represents low-income individuals and families in a variety of civil matters that have a direct impact on their quality of life. Additionally, the Legal Aid Bureau accepts all cases assigned to it by the courts, without regard to number. These assigned cases include abused, neglected and other children at risk, who are represented by the staff attorneys of the **Attorneys for Children** Unit. The attorneys of the **Criminal Defense** Unit represent criminal defendants arrested in the City of Buffalo. Persons convicted of crimes in Erie County Superior Courts are represented by the lawyers of the **Appeals** Unit.

## **CIVIL LEGAL SERVICES**

The Civil Unit continues to expand the range of holistic legal services available to assist clients in obtaining financial stability, a safe family environment, and other life essentials. We assume representation in mortgage and tax-foreclosure defense, contested family law matters, unemployment and labor discrimination, general housing issues, and legal barriers to societal reintegration after incarceration. We also handle bankruptcies, education issues, child-protective concerns, and such subsistence-income matters as SSI/SSD and public-benefits issues. We practice in town, city, county, state, and federal courts, as well as in a variety of administrative proceedings.

In addition to representing general low-income populations, we have focused our services to reach specific groups, such as those recently released from incarceration, veterans, immigrants and refugees; we also deal with domestic-violence situations and LGBTQ concerns. As we target those least likely to access services elsewhere, we work with other providers in the community, enabling us to link clients with non-legal services necessary to resolve the underlying issues.

In the past year, our existing Mortgage Foreclosure Prevention Project, a collaborative venture with Legal Services for the Elderly, expanded to include a parallel project at the Western New York Law Center. This has allowed more efficient regional coverage and has reduced duplicative efforts. A single intake was established for the counties of Western New York and a case-distribution system implemented to insure more effective representation of homeowners.

Buffalo is fortunate to welcome several thousand new refugee residents each year. Increased outreach to refugee parents regarding availability of family legal services, as well as culturally sensitive delivery of these services when such needs are identified, has become one of our priorities. The Civil Unit staff is familiar with such concerns as securing passports with the Department of Homeland Security, checking Hague Convention membership of involved countries, addressing language concerns with access supervision, considering unique jurisdictional concerns, securing financial support through immigration-sponsorship forms, and creatively pursuing relief where foreign marriages are not recognized here.

We have instituted a red-card emergency referral method for domestic violence victims with the Family Justice Center. Additionally, we have increased immigrant and refugee clients through referral from local resettlement agencies. For immigrant and refugee domestic-violence victims, we currently provide the domestic-violence advocates at International Institute of Buffalo access directly to two staff members on a 24-hour-a-day basis due to the extreme difficulty many of these victims face.

We have continued our outreach to parents with mental-health diagnoses through our collaborative effort with EPIC (Every Person Influences Children). The Civil Unit has continued its parent trainings and issue-spotting sessions. Legal assistance is provided to individuals when necessary.

In the coming year, the Civil Unit is looking forward to participating in a number of new projects, including the Veterans One Stop Center, a community-wide resource location for veterans and military families, as well as a Reentry Practicum in cooperation with the University at Buffalo School of Law.

# Civil Legal Services

**New Clients** 1,318

## Classification of Cases

Consumer/Finance	11
Education	2
Employment	10
Family	397
Health	1
Housing	639
Income	201
Individual Right	49
Miscellaneous	8

**Total** 1,318

## Dispositions

Investigated and Closed at Initial Contact	193
Disposed of Without Litigation	138
Matrimonial Litigation	72
Eviction Litigation	15
Tax Foreclosure Litigation	178
Ordinance Violation Litigation	42
Other Litigation	91
Mortgage Foreclosure	84
Administrative Proceedings	55
Terminated by Client	199

**Total** 1,067

**Telephone Hotline** 2,182



## **ATTORNEYS FOR CHILDREN UNIT**

Established concurrently with New York State's new Family Court Act in 1962, the Attorneys for Children (AFC) Unit celebrated 50 years of service to children in Erie County in 2012. The AFC Unit provides legal representation and counsel to the majority of children in Erie County who are abused, neglected, in foster care, or involved in the juvenile-justice system as Juvenile Delinquents (JD's) or Persons in Need of Supervision (PINS).

Representing clients ranging in age from newborns to 21 years, our unit is "dedicated to excellence in child-centered legal representation and social advocacy." To that end, we use a multifaceted approach, with a Masters-level social worker and/or a specialized paralegal assigned to collaborate with the attorney, who typically remains the child's counsel throughout a case. We emphasize frequent contact with our clients, knowing that before we can speak for a child, we must listen to the child. Then, with the benefit of in-depth investigation, the team works to develop a comprehensive plan for informed advocacy of each client's wishes, rights and interests.

Our attorneys handled 4,414 cases during 2012, including 55 children on appeals, and made 34,443 court appearances. The Unit also continued to expand its efforts in the area of educational advocacy, with paralegals and attorneys participating in school meetings and hearings to ensure that our clients received an appropriate school experience and necessary special educational services.

Some highlights for 2012 include the following:

- On his own initiative, appeals attorney Charles Halvorsen attained exam-based certification as a Child Welfare Law Specialist (CWLS), part of an elite group of attorneys across the country who have demonstrated by their knowledge and experience their expertise in Child Welfare Law.
- In order to provide proper representation for our clients, a majority of whom come from virtually impoverished families, of it is crucial for our Attorneys to develop an attorney/client relationship in a manner that allows the child to feel safe, comfortable and supported. One of the methods in which we try to attain such a relationship is to provide each child with a book of his or her own choosing from the Unit's book collection. Each time a child is brought to 237 Main Street to be interviewed, he or she is allowed to choose an age-appropriate book to keep. It is estimated that each child will be interviewed at 237 Main Street at least three times a year. In 2012, the Baird Foundation of Western New York generously provided the Unit with \$1000 to purchase books for our clients.
- We were able to assist two brothers, aged 18 and 20, after years of difficult placements in foster care, to locate "forever" families. Each was adopted into a home of holiday gatherings and special-occasion celebrations—a success story that proves it is never too late to find a child the right family.

The Attorneys for Children Unit continues to be dedicated to improving the lives of the children whose circumstances have brought their families into court.

## Attorneys for Children Unit

	2011	2012
Juvenile Delinquency	547	464
Persons In Need of Supervision	169	185
Custody	1,038	1,119
Child Protective	1,013	829
Guardianship	2	4
Paternity	25	24
Support	0	0
Family Offense	121	92
Approval of Foster Care	11	17
Termination of Parental Rights	163	248
Designated Felonies	1	0
Supplemental Categories*	957	828
Other	614	604
<b>Total Children Served</b>	<b>4,661</b>	<b>4,414</b>
<b>Appellate Activity</b>	<b>75</b>	<b>55</b>
<b>Total Court Appearances</b>	<b>34,782</b>	<b>34,443</b>

\*Includes JD, PINS, Child Protective and Designated Felonies violations and extensions of placement, restores, modifications of orders, etc.

## **CRIMINAL DEFENSE UNIT**

The Legal Aid Bureau of Buffalo's Criminal Defense Unit consists of its City Court Office, which operates exclusively in Buffalo City Court, and the Felony Office, which handles D- and E-level felonies charged in the City of Buffalo as well as all Buffalo cases in Integrated Domestic Violence Court.

The City Court staff is responsible for the mandated representation of indigent persons charged with New York State Penal Law and misdemeanor Vehicle and Traffic offenses within the City of Buffalo. It represents all such defendants at arraignment and continues representation of those defendants whose cases are charged at, or are later reduced to, misdemeanor level and below. Additionally, its attorneys initially represent indigent defendants at arraignment where the case is later transferred to a felony-level attorney with the Criminal Defense Unit's Felony Office or the Erie County Bar Association's Aid to Indigent Prisoner Society. With seventeen attorneys and seven support staff covering eleven judicial calendars and more than twelve thousand cases per year in Buffalo City Court, the City Court Office is the highest-volume indigent-legal-service provider in Western New York.

Our attorneys are dedicated to ensuring that all defendants assigned to the office receive the very best representation despite their inability to pay for the service. Their goal is the best possible disposition after thorough examination of the law as applied to the particular facts of the case. Despite high caseload volume and the fast-paced environment of an overburdened City Court, our attorneys consistently secure excellent results. In 2012, we represented clients on more than one-third of all criminal trials held in Buffalo City Court, achieving either an acquittal or a conviction to a lesser included count in over 80% of verdicts.

In April of 2012 Helen Zimmermann retired after 23 years of committed service as the supervisor of the City Court Office. In August, leadership was assumed by Kevin M. Stadelmaier. Mr. Stadelmaier brings with him over a decade of criminal-defense experience in the many state, county and municipal courts of New York State. Together with the Unit's Managing Attorney, Danielle Maichle, their focus is to improve the already high level of representation delivered by the staff attorneys, while at the same time absorbing new and emerging trends in criminal defense. These include incorporating a more holistic, "client-centered" defense strategy, which works not only to resolve pending criminal issues but also to resolve lifestyle issues that can lead to recidivism and self-destructive behavior.

In this vein, the City Court Office also facilitates matriculation of clients assigned by judicial sentencing orders or pre-disposition orders to Buffalo City Court Judge Robert Russell's nationally acclaimed Mental Health, Drug and Veteran's Treatment Courts. In 2012, in order to better serve this important population of clients, we added a treatment court assistant to our staff to focus on their special needs, both personal and legal.

2012 was a year of highlights for the City Court Office as well as the Legal Aid Bureau of Buffalo as a whole. In October 2012, the Bureau celebrated its 100<sup>th</sup> Anniversary as a provider of legal services to the needy of Buffalo. At the Anniversary Gala, Staff Attorney Dan Barry was honored for his 50 years of service as a criminal-defense attorney with the Bureau. Mr. Barry, who continues to exhibit the best qualities of a defender of accused persons, was later honored in January as the New York State Bar Association's 2012 Maxian Award Winner for Excellence in Indigent Defense.

Along with amending attorney scheduling to increase client contact and modernizing motion-practice procedures, the City Court Office additionally looks forward to completing a full office renovation begun in 2012. We hope to occupy expanded and improved space in the Buffalo City Court Building in early 2014.

2012 was also a significant year for the Felony Office of the Criminal Defense Unit. Although the total number of felony cases handled by the office decreased from the prior year, there was a significant increase in the number of cases that went to trial. This increase was due primarily to a stricter plea policy of the Erie County District Attorneys' Office. Of the cases that were tried, more than half resulted in not guilty verdicts. The outcome of these cases is a tribute to fine work of the office's staff attorneys.

There were several staffing changes during the year. Ingrid Jackson transferred to the Appeals Unit, and Barbara Johnson-Lee, a longtime staff attorney in City Court, moved over to the Felony Office and was assigned to the IDV Court. With her extensive experience in City Court cases of domestic violence, she brings a particular expertise to these difficult and complex matters.

Finally, in 2012 the management structure of the Bureau's criminal defense services was changed. Felony Office supervisor William Coughlin was promoted to Attorney-in-Charge of the Criminal Defense Division. In this new role, Mr. Coughlin is charged with oversight of the Criminal Defense Unit's City Court and Felony Offices and the Bureau's Appeals Unit, in addition to his direct supervision of the Felony Office staff.

# Criminal Defense Unit

<b>New Defendants</b>	<b>12,904</b>	<b>Finding after Trial</b>		<b>Community Service</b>	
Felony	1,930	Guilty as Charged	22	Felony	11
Felony (Drug)	70	Guilty to Lesser	24	Misdemeanor	39
Felony (DV)	445	Dismissed (also Not Guilty)	37	Violation	0
Misdemeanor	8,936			<b>Fine</b>	
Violation	1,336	<b>Sentences</b>		Felony	74
Infraction	30	Jail		Misdemeanor	952
Appeals	157	Felony	403	Violation	85
<b>Pleas as Charged</b>	<b>724</b>	Misdemeanor	1,229	Infraction	4
Felony	61	Violation	103	<b>Unconditional Discharge</b>	
Misdemeanor	364	Infraction	1	Misdemeanor	75
Violation	291	<b>Probation</b>		Violation	8
Infraction	8	Felony	116	<b>Closed Cases (Other)</b>	
<b>Pleas to Lesser</b>		Misdemeanor	36	ACD	1,352
Felony	886	<b>Conditional Discharge</b>		Private Counsel	725
to lesser Felony	51	Felony	382	Assigned Counsel	677
Misdemeanor	445	Misdemeanor	1,686	Dismissed on Motion	1,247
Violation	332	Violation	122	Speedy Trial	1,513
Infraction	58	Infraction	6	Relieved	18
Misdemeanor	3,644	<b>Prison</b>		No Bill	12
to lesser Misdemeanor	524	Felony	37	Admit to VOP	84
Violation	1,908	Misdemeanor	2	Not Guilty to VOP	11
Infraction	1,212	Prison—Willard Program	3	Transfer to Family Court	0
Violation	18	Shock	4	Rejected	4
to lesser Violation	0			Other	343
Infraction	18				
<b>Felony Plea to Higher Charge</b>	<b>1</b>				
<b>Trials</b>	<b>83</b>				
Felony	22				
Misdemeanor	55				
Violation	6				

## APPEALS UNIT

The Legal Aid Bureau is proud to be the exclusive provider of criminal appellate services for all indigent defendants who are convicted in Erie County Supreme and County Courts. According to the law of the land, established by the United States Supreme Court fifty years ago in the landmark decision of Gideon v Wainwright, indigent defendants are guaranteed the right to counsel on appeal to the intermediate appellate court, which in New York State is the Appellate Division. To fulfill its obligation to ensure such representation, Erie County contracts with the Legal Aid Bureau to provide it. Each year the Appellate Division assigns the Legal Aid Bureau up to 200 new cases. For most clients, an appeal to the Appellate Division represents their only opportunity to seek review of unlawful convictions or excessive sentences. Highly skilled in criminal law and procedure, our Appeals Unit attorneys have earned an outstanding reputation in the legal community and at the Appellate Division for their zealous advocacy on behalf of their clients.

Indeed, in 2012 public defender offices in the two nearby rural counties of Cattaraugus and Genesee sought the expertise and assistance of our Bureau with their indigent appeals. As a result, we have now contracted with Cattaraugus and Genesee Counties to perfect a specified number of those counties' criminal appeals per year. In so doing, the Legal Aid Bureau of Buffalo is poised to become the regional appellate defender for many, if not all, counties in the Eighth Judicial District (the eight counties in Western New York). This new expansion has won high praise from the Office of Indigent Legal Services, a recently-established statewide organization charged with ensuring that indigent criminal defendants in New York State receive high-quality representation. We hope that this multi-county project will serve as a model for indigent criminal appellate defense throughout New York State.

In October, the Bureau created a new position in the Appeals Unit to implement this program servicing the additional counties and to supervise all aspects of the work of the attorneys handling these cases. Susan C. Ministero, appointed Managing Attorney, has worked tirelessly on the many tasks involved, including developing vital relationships with the court personnel in Cattaraugus and Genesee Counties, securing the necessary documents, reviewing the files, and assuring the quality of the briefs prepared on these appeals.

This past year the attorneys in the Appeals Unit secured a number of positive results for clients. In People v Theodore R. Jenkins the Appellate Division agreed with us that the client's guilty plea was defective because of the judge's failure to advise him about the possibility of a fine; Mr. Jenkins subsequently

pleaded guilty again but was spared the financial penalty. The Appellate Division reduced a client's sex offender risk level—a result that will make a significant difference in the client's life—based upon our argument in People v Maurice Johnson. In People v Mario Bracy we argued that the police search of our client was illegal, resulting in the dismissal of a marijuana possession charge. We successfully persuaded the court to reduce or modify sentences in People v Louis Geroyianis and People v Timothy Jablonski.

The dedicated appellate work performed by our attorneys on behalf of their individual clients helps to ensure that all individuals in New York State are guaranteed their state and federal constitutional rights of due process and a fair trial.

## Appeals Unit

Cases Closed	128	Other Submissions	31
Appeals Pending	239	Application for Leave to Appeal to Court of Appeals	74
Briefs Filed	125		



## 2012 Financial Summary

There was a \$1,279 decrease in unrestricted net assets at the end of 2012. Total unrestricted net assets at year end was \$386,942, the difference between total assets of \$1,412,529 and total liabilities of \$1,025,587.

The provision of criminal legal services is funded through four (4) grants from the County of Erie and two (2) grants from other counties within Western New York. The largest grant was for a total of \$3,527,012, an increase of \$102,728 or 3% from 2011. During 2012, Legal Aid was awarded a three (3) year contract amounting to \$727,566 from the County through the New York State Office of Indigent Legal Services. The purpose of the funding is to assist the County in improving the quality of indigent legal services pursuant to article 18B of the County Law. The award allowed the continuation of funding for a criminal defense staff attorney position in the Buffalo City Court office and a paralegal position in the specialty courts (Drug Court, Mental Health Court, Veterans Court, and Housing Court), plus the addition of a new full-time appeals staff attorney position and a new part-time data entry/ receptionist position in the Buffalo City Court office. The two (2) other grants, the Aid to Defense and Byrne JAG grant, are provided by the state to the county and then passed through to Legal Aid. The Aid to Defense grant remained at the same funding level in 2012 as in 2011; the Byrne grant decreased by \$29,000, based on the state's fiscal year. Cattaraugus County awarded a three (3) year contract to Legal Aid for \$22,500 annually to provide appellate representation for persons convicted of crimes or violations in the courts of Cattaraugus County. Genesee County awarded a three (3) year contract to Legal Aid for \$48,100 annually to provide appellate representation to persons convicted of crimes or violations in Genesee County Court. These grants provide the funding necessary for the Felony Appeals and Criminal Defense Units.

The New York State Unified Court System Office of Court Administration awarded \$2,516,862, a \$24,919 or 1 % increase, to fund the Attorneys for Children Unit. This unit provides legal representation for children appearing in Family Court. The unit also received a donation of \$10,597.83 from the Jody Spooner's Youth Development Fund and a \$1,000 donation from The Baird Foundation for the unit's book donation program for the children involved in Family Court proceedings.

The Civil Legal Services Unit receives funding from the New York State Unified Court System, the Interest on Lawyer Account Fund of the State of New York, the City of Buffalo, and the New York State Division of Criminal Justice Services, as well as the other sources noted below.

The Oversight Board for Judiciary Civil Legal Services Funds in New York awarded \$242,000 for the provision of civil legal assistance to low-income New Yorkers in matters involving the essentials of life. The award was a continuation of funding that began in 2011 that provides funding for three (3) additional staff attorneys to allow an expansion of services in unemployment cases and to continue service delivery in housing matters, family matters involving domestic violence, mortgage-foreclosure defense, and income-maintenance issues.

EPIC (Every Person Influences Children) awarded \$20,052 to Legal Aid to provide services for families in transition. These services include presentations at workshops, legal services to eligible families, as well as professional development to assist local service providers in understanding the custody process.

The Civil Legal Services Unit was awarded \$240,000 from the Interest on Lawyer Account Fund of the State of New York for the provision of civil legal services. This represented a

\$10,000 decrease from the prior year. The Interest on Lawyer Account (IOLA) Fund generates income from interest on short-term or nominal client escrow accounts accumulated in New York lawyers' trust accounts. The unit also received \$47,162 from the City of Buffalo Community Development Block Grant Entitlement Program to provide housing-related legal services to residents of Buffalo. The City of Buffalo also awarded \$25,000 through its Emergency Shelter Grant program to provide legal representation to those facing tax-water foreclosure within the City of Buffalo.

In 2012, the Western New York Law Center, Inc., joined with Legal Services for the Elderly, Disabled or Disadvantaged (LSED) and Legal Aid Bureau of Buffalo, Inc. to provide services under the Mortgage Foreclosure Prevention Project. Funding was awarded by the NYS Office of the Attorney General to provide legal services in mortgage-foreclosure cases. Legal Aid received two (2) awards through Western New York Law Center (as lead agency on the grant). One award of \$162,150 is to provide legal services in the Western New York region; the second award of \$28,000 is to provide services to those at risk of mortgage-foreclosure in the city of Buffalo. Legal Services for the Elderly, Disabled or Disadvantaged (LSED), as lead agency with the NYS Office of the Attorney General, subcontracted with Legal Aid to provide foreclosure prevention services in Niagara, Orleans, and Wyoming Counties. Westside Neighborhood Housing Services granted a \$17,483 contract extension to Legal Aid to provide legal representation and related services for the project; Belmont Shelter Corporation also granted a contract extension of \$41,986 for the project. Three additional sources provided funding for the project that was divided between the two (2) original legal services providers of the project, Legal Aid and LSED. These funding sources included the New York State Division of Criminal Justice Services, which provided \$35,333; the City of Buffalo Community Development Block Grant Entitlement Program that awarded \$34,887; and the Community Foundation of Greater Buffalo that granted \$25,000 to the two (2) agencies to fund staff assigned to the project.

The New York Bar Foundation granted \$6,000 to Legal Aid for a Reentry program that assists individuals to readjust to society after incarceration. Legal services are provided that help in securing employment, housing, education, and family stability.

The Bureau celebrated its 100<sup>th</sup> year anniversary in 2012. A special event was held at the Lafayette Hotel to celebrate the occasion. During the planning stages, it was determined that the event would not be a fund raiser but simply a celebration of 100 years of service to the community. Total revenue from the event, including dinner tickets, sponsorships, and donations, totaled \$41,900. Total expenses, including the dinner, invitations, music, brochures, and planning coordinators, totaled \$42,741, resulting in a small deficit of \$841. This does not include the remaining revenue balance of \$8,000 from a \$10,000 five (5) year pledge from M&T Charitable Foundation that resulted during the planning and development stages of the event. We would like to thank M&T for their recognition of our service and support in the future.

In addition to the funding sources noted above, the Bureau received other sources of income, including donations from local attorneys and other interested parties through our annual fund drive and from area law firms, as well as donations received through the United Way of Buffalo and Erie County annual campaign. These donations are an extremely important factor in funding our Civil Legal Services Unit and are, therefore, greatly appreciated.

Finally, we would like to thank our staff, volunteers, the community, and our funders for their role in helping us provide legal advice and representation to the financially needy men, women, and children in Western New York.

THE LEGAL AID BUREAU OF BUFFALO, INC.

Statement of Activities

Year ended December 31, 2012

Unrestricted revenue:

City of Buffalo	\$ 103,336	1.42%
County of Erie	3,859,714	53.22%
Other Western New York Counties	4,064	0.06%
State of New York	2,887,746	39.81%
Membership dues, contributions and other grants	128,441	1.77%
Indirect public support - United Way of Buffalo and Erie County	6,222	0.09%
Interest on Lawyer Account Fund of the State of New York	259,137	3.57%
Interest income	2,862	0.04%
Miscellaneous	<u>1,529</u>	<u>0.02%</u>
Total unrestricted revenue	<u>\$7,253,051</u>	100.00%

Unrestricted expenses:

Program services:

Civil Unit	\$ 834,643
Felony Appeals	1,063,827
Criminal Defense Unit	2,505,438
Attorneys for Children	<u>2,292,924</u>

Total program services 6,696,832

Management and general 557,498

Total unrestricted expenses 7,254,330

Increase in unrestricted net assets \$ (1,279)

**CERTIFIED TO BE TRUE AND ACCURATE:**

  
MICHELE M. FINN, ASSISTANT TREASURER

THE LEGAL AID BUREAU OF BUFFALO, INC.

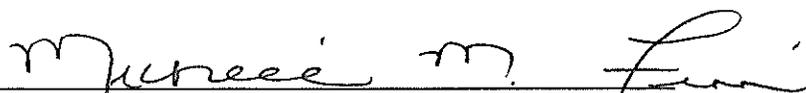
Statement of Functional Expenses

Year ended December 31, 2012

**Expenses**

Salaries	\$5,326,078	73.42%
Employee benefits	906,493	12.50%
Payroll taxes	<u>427,424</u>	5.89%
<b>Total salaries and related expenses</b>	<b>\$6,659,995</b>	<b>91.81%</b>
Professional fees	136,134	1.88%
Supplies	30,603	0.42%
Telephone	23,024	0.32%
Postage	15,412	0.21%
Occupancy	188,468	2.60%
Transportation	25,852	0.36%
Conferences	21,574	0.30%
Subscriptions and publications	34,506	0.48%
Specific assistance to clients	9,344	0.13%
Insurance	28,512	0.39%
Membership dues	13,275	0.18%
Furniture and equipment	17,166	0.24%
Maintenance and repairs	21,323	0.29%
Interest	491	0.01%
Miscellaneous	12,847	0.18%
Special Event—net	841	0.01%
Depreciation and amortization	<u>14,963</u>	0.21%
<b>Total expenses</b>	<b><u>\$7,254,330</u></b>	<b>100.00%</b>

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Arnold N. Zelman

100 years

## A CENTURY OF GROWTH AND CHANGE

The Legal Aid Bureau of Buffalo takes great pride in the achievement of one hundred years of service in Western New York.

Legal Aid's roots lie in the Charity Organization Society formed in 1877 by Buffalo's Protestant church and establishment members steeped in a Social Gospel commitment to faith and good works. These leaders were then confronting an influx into the increasingly prosperous city of waves of immigrants with their foreign languages, religions, and cultures. Fear of social unrest mixed with a civic desire to "Americanize" the newcomers as well as a charitable impulse to improve their economic condition provided the motivation to organize a response.

Twenty-five years later, extending the concept specifically to assistance with legal matters, the Buffalo Legal Aid Bureau was established. Private subscriptions and contributions, followed a few years later by appropriations from the City of Buffalo and the County of Erie, constituted its funding. Housed in its first attorney's law office, the Bureau originally charged twenty-five cents for a consultation and a small percentage fee, sometimes waived, for collection services. 630 cases were handled in 1912.

Through the next decades, several eminent local legal personages, many also affiliated with the University of Buffalo Law School, were associated with the evolution of the Bureau and its services. These included Chauncey J. Hamlin, John Lord O'Brien, Carlos C. Alden, and Elmer C. Miller. Later years brought Vincent E. Doyle, Jr., Nathaniel Barrell, and Rose Sconiers, its first female Executive Attorney, on board.

During World War II, upon designation by the War Department, the Bureau provided free legal services to soldiers, their dependents, and army nurses. 388 servicemen and veterans were accepted as clients in 1948.

As they were throughout society, the '60s and '70s were volatile years at the Legal Aid Bureau. It affiliated with the UB School of Law in establishing a law clinic. In response to New York's designation of Family Court, it created its Law Guardian Unit. The Supreme Court's *Gideon* decision expanding the right to counsel naturally affected both its civil and criminal workloads. The Criminal Appeals Unit arose to handle all of those in Erie County as well as certain proceedings regarding prisoners at Attica.

War on Poverty money became available through the Office of Economic Opportunity that allowed the Bureau to open neighborhood offices. The relationship with the corresponding federal agency was not an easy one and ultimately ended in a break. Neighborhood Legal Services spun off to handle consumer and housing issues for the poor.

The growth of the Legal Aid Bureau in other aspects throughout the course of a century has also been notable. Staff has increased from 3 to its present 87; cases handled, from hundreds to 17,822; budget, from \$1,702 to \$7.2 million. It is currently organized into four distinct units: Civil Legal Services, Attorneys for Children, Criminal Defense, and Appeals. It occupies two floors of the Main-Seneca Building and more at Buffalo City Court.

While the amount of dollars flowing in and out has dramatically increased over the years, the need to appeal for funding remains a constant. The bureau depends upon the annual appropriations of the local, state, and federal governments, the uncertain IOLA (Interest on Lawyer Account) Fund, variable designations from United Way, and assorted contributions from organizations and the community at large. Anxiety for the next year always accompanies gratitude for the last.

It is the hope and the intention of the Legal Aid Bureau of Buffalo to continue to provide its services to the needy of Western New York into the next hundred years with the integrity and dedication of the one hundred years past.

Working for Justice Since 1912



MINUTES OF THE MEETING  
OF THE BOARD OF DIRECTORS OF  
THE LEGAL AID BUREAU OF BUFFALO, INC.  
June 20, 2013

PRESENT:

Irving A. Barrett, Jr.  
Elizabeth Carlson  
Howard G. Foster  
John T. Kolaga  
James L. Magavern  
Frank B. Mesiah  
Cheryl Meyers-Buth  
Timothy Murphy  
Athena Mutua  
Lisa M. Patterson  
Raymond P. Reichert  
James J. Rooney  
Robert Sandgrund  
Allison Stravino  
David C. Schopp, Chief Executive Officer  
Michele M. Finn, Chief Administrator

NOT ATTENDING:

Patrick Brown  
Treneeka Cusack  
Bernard B. Freedman  
Courtland R. LaVallee  
Rocco Lucente II  
Charles C. Martorana  
Rebecca Town

President James Rooney called the meeting to order and asked for a motion to approve the minutes of the last board meeting on April 18, 2013. The motion to approve the minutes was made by Irving Barrett, Lisa Patterson and was unanimously approved.

David Schopp introduced managing attorney Paul Curtin from the Civil Legal Services Unit. (At this time Athena Mutua arrived.) Mr. Curtin presented a certificate awarded by the New York Bar Foundation in recognition of valuable contributions in facilitating the delivery of legal services in the community. Mr. Curtin further stated that Legal Aid also received a \$5,000 grant for re-entry services. (At this time Michele Finn arrived.) Mr. Curtin described some of the legal services we presently offer. He also mentioned that he was contacted by the Department of Justice in Washington, DC to help create a guidebook for re-entry courts nationally by describing the work and services we provide

in Federal Court in New York State. Mr. Curtin mentioned funding is typically given to government agencies. Our efforts to receive funding for reentry services may need to come through a partnership with state and local agencies. Mr. Curtin is also working with the University at Buffalo Law School to establish a “Practicum” where law students will work with Legal Aid staff in a yearlong reentry legal services program. (At this time Allison Stravino arrived.)

Mr. Schopp gave his Chief Executive Officer’s Report:

### ***Criminal Defense and Appeals Unit***

- *At this point, it appears that Orleans, Chautauqua, Allegany and Wyoming Counties will be joining our Regional Appellate Project in the coming months if their requests for appellate funding are granted by the Indigent Legal Services Office.*
- *The Legal Aid Bureau will be receiving an additional \$242,000 annually from the Indigent Legal Services Office. We intend to hire an attorney and a senior paralegal in the City Court office, an attorney in the Appeals Unit and a senior paralegal to prepare sentencing recommendations for felony cases and to prepare CPL440 motions for Appeals Unit clients.*
- *The additional space in Buffalo City Court is completed, and the staff will be moving in next week. The renovation of our current city court space is being reconsidered. The city might renovate additional space adjacent to the new office.*
- *We currently have an opening for a part-time staff attorney in the Appeals Unit.*

### ***Civil Legal Services Unit***

- *We have a meeting next Wednesday at the Oishei Foundation regarding our project with Journey’s End to provide legal services to immigrants and refugees. All of the community partners involved in the grant application will be attending with the intent of finalizing our proposal. The foundation will be considering the application sometime in July.*
- *We recently submitted an application for a total of \$253,000 in response to an RFP announcing \$15 million in new judiciary funding for civil legal services.*

### *Miscellaneous*

- *At a meeting today, the OPEIU Local 153 ratified a three-year contract (2013-2015). The Board needs to consider approval in Executive Session at today's meeting.*

Chief Administrator Michele M. Finn made the following treasurers report: (Distributed at the meeting: Statement of Activities Year Ended December 31, 2012, Statement of Functional Expenses Year ended December 31, 2012, Statement of Financial Position December 31, 2012, Statement of Activities Year ended December 31, 2012 with comparative totals for 2011, Statement of Functional Expenses Year ended December 31, 2012 with comparative totals for 2011, 2012 Financial Summary, 1<sup>st</sup> Quarter 2013 Budget vs. actual and 2012 Budget vs. actual.)

- Ms. Finn stated formal financial statements will available in the fall. In the 2012 Budget, Ms. Finn mentioned revenue variances are caused by different funding year allocations. Ms. Finn also mentioned that large salary related variances in the 2013 budget are the result that salary increases have not been issued.
- The Aid to Defense 2013-2014 award is the same as last year, \$73,700.
- The Bureau has \$1,433,877 in savings at this time.

### Report of Committees:

#### Planning and Development Committee

David Schopp spoke for absent Chairperson Rocco Lucente. The P & D Committee recently met and is focused on significantly enhancing our direct mail campaign. Liz Carlson has accepted the position to lead the fund drive. We plan on outsourcing the mailing and will ask for more Board and employee participation. Mr. Schopp mentioned that Legal Aid will participate in the joint fundraising effort with LSED and Volunteer Lawyers Project Bash for Justice tentatively scheduled for December 6, 2013. And lastly, the committee is looking for funding to hire a development director.

#### Nominating Committee

Mr. Rooney stated there are still Board of Directors vacancies. If anyone would like to nominate someone, please let him know. Mr. Rooney stated the following Board members terms are expiring this year: Elizabeth Carlson, Bernard Freedman, James Magavern, Charles Martorana, Frank Mesiah Robert Sandgrund (SS Union Rep) and Allison Stravino.

A motion to appoint these Board members to a three-year term expiring in 2016 was made by John Kolaga, seconded by Raymond Reichert was passed unanimously.

Mr. Rooney requested a motion for the 2012-2013 officers to serve another year.

President	James J. Rooney
Vice President	Rocco Lucente II
Second Vice President	Howard Foster
Secretary	Lisa M. Patterson
Treasurer	Irving A. Barrett, Jr.

A motion to re-elect the current officers to another term was made by James Magavern, seconded by Elizabeth Carlson was unanimously passed.

Finance Committee

Irving Barrett chairperson stated a meeting will be scheduled in July. The committee and staff are considering combining the two retirement programs 401K and 403B is ongoing. (At this time Timothy Murphy and Cheryl Meyers-Buth left.)

Old Business – None

New Business – None

A motion was made by Howard Foster, seconded by Frank Mesiah and unanimously approved to move to Executive Session. (At this time Robert Sandgrund left.)

During Executive Session a motion to approve the New Collective Bargaining Agreement with the OPEIU Local 153 with contract changes described by David Schopp was made by Howard Foster, seconded by Frank Mesiah was unanimously approved.

Respectfully submitted,



David C. Schopp  
Assistant Secretary